

Request for Reconsideration:

Applicant is amending the specification to correct minor typographical errors in paragraphs [0010], [0049], and [0051]. No fees are due as a result of this responsive amendment. Nevertheless, in the event of any variance between the fees determined by Applicant and those determined by the PTO, please charge any such variance to the undersigned's Deposit Account No. 02-0375. Applicant respectfully requests that the Examiner enter these amendments and reconsider the above-captioned patent application in view of the foregoing amendments and the following remarks.

Remarks:

1. Rejections.

Claims 1-9 are pending in this application, and claims 1-9 stand rejected under 35 U.S.C. §103(a), as allegedly rendered obvious by U.S. Patent No. 5,309,349 to Kwan in view of U.S. Patent No. 6,049,474 to Platnic and Patent No. US 6,646,411 B2 to Hirono et al. (“Hirono”). Applicant respectfully disagrees.

2. Obviousness Rejections.

As noted above, claims 1-9 stand rejected as allegedly rendered obvious by Kwan in view of Platnic and Hirono. In order for the Office Action to establish a prima facie case of obviousness, at least three criteria must be met. First, there must be some suggestion or motivation, either in the combined references or in the knowledge generally available to one of ordinary skill in the art, to combine the cited references, in the manner proposed by the Office Action. Second, the prior art references must disclose or suggest all the claim limitations. Third, there must be a reasonable expectation of success. MPEP 2143. For the reasons set forth below, Applicant maintains that the Office Action fails to establish a prima facie case of obviousness.

Claim 1 describes:

[a] current detection unit of an inverter comprising an inverter which outputs a pseudo, three-phase AC power, converted from DC power to a load, and means for measuring a DC current flowing in said inverter, said current detection unit detecting a three-phase current output from said inverter to said load by measuring said DC current flowing in said inverter, said current detection unit comprising:

a measurement time setting means for setting a measurement time of said DC current at at least one of an uppermost point and a lowest point of a reference chopping wave with a predetermined frequency; and

a current phase detection means for detecting at least two phase currents from respective DC currents measured at a plurality of measurement times sequential to each other.

(Emphasis added.) The Office Action contends that the elements of the preamble are disclosed by Kwan, but acknowledges that Kwan does not disclose “a measurement time setting means” or

“a current phase detection means,” as described in Applicant’s claim 1. Office Action, Page 2, Lines 17-19. Nevertheless, the Office Action contends that the “measurement time setting means” or the “current phase detection means” are disclosed by Platnic and Hirono, respectively, and that a person of ordinary skill in the art would be motivated to modify Kwan to include those elements of Platnic and Hirono. Id. at Lines 19-25. Applicant respectfully disagrees.

Applicant’s “measurement time setting means” sets “a measurement time of said DC current at at least one of an uppermost point and a lowest point of a reference chopping wave with a predetermined frequency.” Nevertheless, referring to Platnic’s **Figs. 5** and **6**, neither figure depicts “a measurement time of said DC current at at least one of an uppermost point and a lowest point of a reference chopping wave with a predetermined frequency.” Moreover, the portion of Platnic cited by the Office Action provides that Platnic’s device “allow[s] measurement of the effects of the said switching on the line current when, within one pulse-width-modulation period, a time interval between the instant of switching of a switching means of one phase and the instant of switching of a corresponding switching means of a following phase . . .” Platnic, Column 3, Lines 46-51 (emphasis added); **Fig. 5** (“Measurement U_2 ”). Thus, Platnic does not disclose a measurement time “at at least one of an uppermost point and a lowest point of a reference chopping wave.” The Office Action does not contend that this element is supplied alternatively by Hirono. Therefore, Applicant respectfully requests that the Examiner withdraw the obviousness rejection of claim 1.

As noted above, claims 2-9 depend from claim 1. “If an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious.” MPEP 2143.03 (citations omitted). Therefore, in view of the foregoing remarks with respect to Kwan in view of Platnic and Hirono, Applicant respectfully requests that the Examiner withdraw the obviousness rejections of claims 2-9, as well, and to allow claims 2-9.

Conclusion:

Applicant maintains that the above-captioned patent application, as amended, now is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution of this application may be furthered by discussing the application,

in person or by telephone, with Applicants' representative, we would welcome the opportunity to do so.

Respectfully submitted,
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